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HOUSE BILL 489

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Al Park

AN ACT

RELATING TO JUDGES; AMENDING THE FORMULA FOR DETERMINING
SALARIES OF CHIEF JUDGES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-1-9 NMSA 1978 (being Laws 1993,
Chapter 278, Section 1, as amended) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES.--

A. Justices of the supreme court shall each
receive an annual salary as provided by the legislature.

~~[The chief justice of the supreme court shall receive an
annual salary that is two thousand dollars (\$2,000) more than
the annual salary of a justice of the supreme court.~~

~~B. The chief judge of:~~

~~(1) the court of appeals shall receive an
annual salary that is ninety-five percent of the annual~~

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[bracketed material] = delete

1 ~~salary of the chief justice of the supreme court;~~

2 ~~(2) a district court shall receive an annual~~
3 ~~salary that is ninety-five percent of the annual salary of the~~
4 ~~chief judge of the court of appeals; and~~

5 ~~(3) a metropolitan court shall receive an~~
6 ~~annual salary that is ninety percent of the annual salary of~~
7 ~~the chief judge of a district court.~~

8 ~~C. The presiding magistrate of a magistrate~~
9 ~~district where three or more divisions operate as a single~~
10 ~~court shall receive an annual salary that is seventy-five~~
11 ~~percent of the annual salary of the chief judge of a~~
12 ~~metropolitan court.~~

13 ~~D. Notwithstanding any other provision of law or~~
14 ~~any other provision of this section]~~

15 B. The annual salaries of the following judges and
16 magistrates shall be established as follows:

17 (1) a judge of the court of appeals shall
18 receive an annual salary that is ninety-five percent of the
19 annual salary of a justice of the supreme court;

20 (2) a district court judge shall receive an
21 annual salary that is ninety-five percent of the annual salary
22 of a judge of the court of appeals;

23 (3) a metropolitan court judge shall receive
24 an annual salary that is ninety percent of the annual salary of
25 a district court judge;

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1 (4) a full-time magistrate shall receive an
2 annual salary that is seventy-five percent of the annual salary
3 of a metropolitan court judge;

4 (5) a half-time magistrate shall receive an
5 annual salary that is fifty percent of the annual salary of a
6 full-time magistrate; and

7 (6) a quarter-time magistrate shall receive an
8 annual salary that is twenty-five percent of the annual salary
9 of a full-time magistrate.

10 C. The chief justice of the supreme court, the
11 chief judge of the court of appeals, the chief judge of a
12 district court, the chief judge of a metropolitan court and the
13 presiding magistrate in a magistrate court consisting of three
14 or more magistrates shall receive an annual salary that is five
15 percent more than the annual salaries of the other justices,
16 judges or magistrates in their respective courts.

17 [~~E.~~] D. For fiscal year 1995 and all subsequent
18 fiscal years, the annual salary for justices of the supreme
19 court, judges of the court of appeals, district court judges,
20 metropolitan court judges and magistrates shall be established
21 by the legislature in an appropriations act.

22 [~~F.~~] E. No additional salaries shall be paid to
23 justices, judges or magistrates on account of services rendered
24 the state. Justices of the supreme court, judges of the court
25 of appeals, district court judges, metropolitan court judges

1 and magistrates shall receive per diem and mileage for
2 necessary travel on official business of the court as provided
3 in the Per Diem and Mileage Act."

4 Section 2. TEMPORARY PROVISION.--The salary increases in
5 Section 1 of this act shall be effective the first full pay
6 period after July 1, 2007.

7 Section 3. APPROPRIATION.--Seventy-one thousand two
8 hundred sixty-one dollars (\$71,261) is appropriated from the
9 general fund to the administrative office of the courts for
10 expenditure in fiscal year 2008 to provide for the salary
11 differential of chief judges. Any unexpended or unencumbered
12 balance remaining at the end of fiscal year 2008 shall revert
13 to the general fund.